

Message

From: Casso, Ruben [Casso.Ruben@epa.gov]
Sent: 4/14/2021 5:52:16 PM
To: Robinson, Jeffrey [Robinson.Jeffrey@epa.gov]; Verhalen, Frances [verhalen.frances@epa.gov]
Subject: FW: New Mexico Gets Sterigenics Emissions Suit Sent to State Court

I'm asking Alison to get us the full article, but I was able to get the most critical piece of info. See highlight below.

From: Casso, Ruben
Sent: Wednesday, April 14, 2021 12:51 PM
To: Davis, Alison <Davis.Alison@epa.gov>
Subject: New Mexico Gets Sterigenics Emissions Suit Sent to State Court

Alison - Do y'all have a Bloomberg subscription? My access just expired. I'd like to see this whole article. Can please you get it for me? Thanks! -Ruben

<https://news.bloomberglaw.com/pharma-and-life-sciences/new-mexico-gets-sterigenics-emissions-suit-sent-to-state-court>

New Mexico Gets Sterigenics Emissions Suit Sent to State Court

April 14, 2021, 12:46 PM

- Toxic gas degraded air quality, state says
- Lawsuit doesn't raise federal question, court rules

New Mexico's lawsuit against Sterigenics U.S. LLC and Sotera Health Co. over ethylene oxide releases from its plant will head back to a state court because no federal issues are in dispute in the nuisance case, a federal court ruled.

Sterigenics, Sotera Health, Sotera Health Holdings LLC, and other related companies argue the decision on whether emissions from its Santa Teresa Plant were illegal depends on the interpretation of regulations issued under the Clean Air Act. The need to apply and interpret federal regulations "necessarily raises a federal question," according to the companies.

Ethylene oxide is a toxic gas used...

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